



CANNON BUILDING
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STATE OF DELAWARE
DEPARTMENT OF STATE

DIVISION OF PROFESSIONAL REGULATION

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PUBLIC MEETING MINUTES:	The Manufactured Home Installation Board
MEETING DATE AND TIME:	Monday, April 11, 2011 at 9:00 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room B, Cannon Building
MINUTES APPROVED:	July 11, 2011

MEMBERS PRESENT

Jill Fuchs, President
Keith Rudy, Vice-President
Charlie Eggleston, Complaint Officer
Leslie Persans, Education Officer
James Brockton
Kevin Reinike
Victor Kennedy
Dean Pierson

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Eileen Heeney, Deputy Attorney General
Gayle Melvin, Administrative Specialist III
Roger Aiken, Chief Hearing Officer

MEMBER ABSENT

Richard Snyder, Secretary

ALSO PRESENT

Robert Coleman
Vera Sitze, Court Reporter

CALL TO ORDER

Ms. Fuchs called the meeting to order at 9:01 a.m. Mr. Pierson was welcomed to the Board.

REVIEW OF MEETING MINUTES

The Board reviewed the minutes of the March 14, 2011 meeting. Mr. Reinke made a motion, seconded by Ms. Persans to approve the minutes. The motion was unanimously carried.

NEW BUSINESS

Discussion of Recent Superior Court Decision – Administrative Board – Ms. Heeney

Ms. Heeney advised Board members about a recent Superior Court decision which impacts all administrative boards. The decision states that administrative boards can only rely on information entered into evidence and must deliberate on the testimony and documents provided to them at the hearing.

HEARINGS

Rule to Show Cause Hearing for Robert Coleman

Ms. Heeney called the rule to show cause hearing to order at 9:05 a.m. This hearing was held for Robert Coleman to show cause why the Board should not take disciplinary action against his license for failure to provide documentation showing that he had completed 5 hours of continuing education during the licensure period and that he holds at least \$100,000 in liability insurance. Mr. Coleman was present for the hearing. Mr. Coleman testified that he called the Division of Professional Regulation and was told that he did not need any continuing education for the first renewal of his license. Mr. Coleman provided information regarding his insurance coverage. Mr. Coleman answered questions from Board members. Ms. Heeney called Ms. Melvin as the next witness. Ms. Melvin answered questions from Ms. Heeney and Board members. Verbatim testimony was recorded by the court reporter.

At 9:34 a.m., the Board went off the record to hold deliberations. The Board went back on the record at 9:45 a.m. The Board asked additional questions of Mr. Coleman.

The Board took a recess from 9:54 a.m. to 10:01 a.m. for Ms. Melvin to make copies.

At 10:05 a.m., the Board went off the record to hold deliberations. The Board went back on the record at 10:10 a.m. The Board asked an additional question of Mr. Coleman. At 10:10 a.m., the Board went back off the record to hold deliberations. The Board went back on the record at 10:11 a.m. Mr. Eggleston made a motion, seconded by Mr. Reinke that the Board gives Mr. Coleman 30 days to complete the 5 hours of continuing education and to submit proof of his liability insurance in the proper format. There will be no interruptions in Mr. Coleman's license; however, if Mr. Coleman does not provide the required documentation within 30 days, his license will be suspended with no further notice or hearing. The motion was unanimously carried. Ms. Persans made a motion, seconded by Mr. Eggleston that as the Board has done in two other instances, the 15 hour course that Mr. Coleman will be completing through the Manufactured Housing Educational Institute will count for the 5 hours of continuing education needed for the 2010 renewal. Mr. Coleman must complete an additional 10 hours of continuing education for the 2012 renewal. The motion was unanimously carried. The hearing concluded at 10:13 a.m.

The Board took a recess from 10:13 a.m. to 10:18 a.m.

Rule to Show Cause Hearing for Darin L. Martin

Ms. Heeney called the rule to show cause hearing to order at 10:20 a.m. This hearing was held for Darin L. Martin to show cause why the Board should not take disciplinary action against his license for failure to provide documentation of the required continuing education, that he holds at least \$100,000 in liability insurance and a bond of at least \$10,000. Mr. Martin was not present for the hearing. Ms. Melvin testified regarding the notification to Mr. Martin of the hearing dates and her conversation with Mr. Martin regarding the outdated information that he had submitted in response to the audit notice. Verbatim testimony was recorded by the court reporter.

At 10:25 a.m., the Board went off the record to hold deliberations. The Board went back on the record at 10:35 a.m. Mr. Pierson made a motion, seconded by Mr. Eggleston that the license of Darin L. Martin be suspended for 30 days effective today. Mr. Martin has 30 days from the date of the mailing of the order to provide proof of the required continuing education and that he holds at least \$100,000 in liability insurance and a bond of at least \$10,000 or his license will be revoked with no further notice or hearing. The motion was unanimously carried. The hearing concluded at 10:36 a.m. The Board also requested that Ms. Melvin contact Mr. Martin as soon as possible to let him know that his license has been suspended.

UNFINISHED BUSINESS

Sign Final Order from Rule to Show Cause Hearing for Harold Scott, Jr.

Board members signed the final order from the rule to show cause hearing held for Harold Scott, Jr. at the March 14, 2011 meeting.

OTHER BUSINESS BEFORE THE BOARD (for discussion only)

There was no other business brought before the Board.

PUBLIC COMMENT

There was no public comment at this meeting.

NEXT SCHEDULED MEETING

The next meeting was scheduled for July 11, 2011 at 9:00 a.m. in Conference Room B, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

ADJOURNMENT

There being no further business, Mr. Eggleston made a motion, seconded by Ms. Persans to adjourn the meeting. The motion was unanimously carried. The meeting adjourned at 10:45 a.m.

Respectfully submitted,



Gayle L. Melvin
Administrative Specialist III